

THE UNITED STATES DISTRICT COURT DISTRICT OF ALASKA

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**CLERK, U.S. DISTRICT COURT
ANCHORAGE, A.K.**

Lewis King Deans
Plaintiffs

V.S.

Case# 3:05-cv-00283-TMB

Anchorage School District
Et al,

**PLANTIFF'S MOTION TO DEFENDANT'S OPPOSITION TO MOTION FOR
CONSIDERATION.**

INRODUCTION

Plaintiff Lewis King Deans properly moves this court to strike defendants opposition to motion for reconsideration. Plaintiff has already requested enlargement in previous motion. Defendants Attorney failed to answer the Verification Motion of Summary Judgement, therefore having already legally lost by default, based on the rule of law. Defendants and their Attorney have no legal standing left, especially concerning issues of attempting to penalize Plaintiff who is not a trained Attorney, and has developmental disabilities, which is Constitutionally protected when Pro'se' litigants are known to have developmental disabilities. The complaint was filed because Defendants chose to ignore Congressional mandates concerning an I E P., which is for students with disabilities, so why would Defendants Attorney expect a disabled person with no legal training to act like a competent Attorney. Go figure will ya. Defendants Attorney, desire for legal Leverage belonging to him only is Draconian, and defies any sane or reasonability of rule of Law. This is the same Attorney, that shirked the Legal and Civil rules, concerning, Verification Motion of Summary Judgments, and now acts as if

Plaintiff who is disabled, is not allowed any mistakes as he rightfully protects his legal right, first by motion of Summary judgment containing 100 statements. Then following up Motions. Defendants Attorney expectation of law being only on his side only, is indicative, of absolute corruption of law, and disrespect for the courts and whole legal profession. Defendants Attorney, have already proven belief, that, law has no reason, except for the morass of pretense and deceptive, manipulative ploys designed to deny Plaintiff's Legal Right by delay tactics. However, a legal right can not be abolished just by a group of individual wills, when it meets no preponderance burden of substantive law... Therefore disregard of Law, does not affect a legal right mandated by Supreme Court Law, as Defendants delay tactics attempt to declare. I Lewis have never even had a manifestation Determination, also no Preponderance burden was met by 1415(e)(2) nor was the Verification of Summary Judgement answered timely or properly, which as rule of Law can not be ignored. Also Plaintiff strikes any case Law cited From Circuit court's as it has no bearing on this case, as it can not and does not, change Supreme Court Case Law, Which directs the Circuit courts, not vice versa as Defendants Attorney futile arguments imply.

I Lewis King Deans again request any enlargement of time on any Motions, and that Supreme Court case law, Civil Rights Laws, Constitutional Laws, State Laws, not continue to be ignored in this Draconian , non substantiated frivolous disrespect of our Nation's Laws. Plaintiff's Assertion of Rights is imminent, and Defendant's Attorney attempts at continuous, infringement upon rights without Due Process or Cause, strengthens greatly the appealability of this case, as clarity of intent to

infringe evidence increases. Defendants now have infringed on Plaintiff's liberties of educational rights going on three years, thus deprivation of Federal entitlement, without Due Process, as well as libelous and character defamamation on school records. Defendants have denied my equal access, to my neighborhood school, in coercive attempts, to abolish my IEP. Defendant's Attorney frivolous Argument concerning my supposedly refusal of evaluation, has no legal standing. The IDEA law, procedure is for LEA's and SEAs's to file due process for parental refusal of evaluations, not to use coercive tactics, to try to get me to abolish something I had since I was 13 years of age. Also Defendants tactic of another evaluation, while I had two very recent ones, is clearly The same infringement they are continuing now with intent to, deprive me of my rights to FREE AND APPROPRIATE EDUCATION, guaranteed by Congressional mandates via my IEP.

I Motion the Court to enforce 1415(e) (3) and require Dimond High School to reinstate, me with my I.E.P, and to remove any grades not in conjunction with my 9th Grade IEP, removed immediately. I am still IDEA eligible, as no preponderance burden has been met. I also request that money be reimbursed for Tutoring, paid by my parents, which caused hardship, since I was denied FREE and Appropriate Education entitled to all other students. I request that I have the majority of input with my Doctor in writing my IEP for Postsecondary, and Compensatory, education denied for almost 3 years. With this denial, I am denied Vocational training, legal transition, post secondary supports, and independent living supports, denial of the state going on 3 years, without Due Process, or Substantiation of Search or Seizure of rights to property.

